

FREDERICK COUNTY LIQUOR BOARD
Public Meeting Minutes
Monday, February 16, 2015

Those Present: Mrs. Maggi Hays, Board Member
Mr. Rick Stup, Board Member
Mrs. Linda B. Thall, Sr. Assistant County Attorney
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector
Mr. Bob Shrum, Alcoholic Bev. Inspector
Ms. Kathy L. Vahle, Administrator
Mrs. Sandra Rees, Administrative Specialist IV
Mrs. Penny Bussard, Administrative Specialist IV

A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 9 am by Board Member Maggi Hays.

1. Decision Required: Transfer

TRANSFER FROM:

RE: Jonathan Carothers,
Christopher O'Donnell and
John Spoon
for the use of Famous Dave's
Ribs of Maryland, Inc.
t/a Famous Dave's
1003 W. Patrick St. #8
Frederick, MD 21702
Class B, On Sale, Beer, Wine and Liquor

TRANSFER TO:

RE: Jonathan Carothers, Brett
Rainwater and
John Beckman
for the use of Famous Dave's
Ribs of Maryland, Inc.
t/a Famous Dave's
1003 W. Patrick St. #8
Frederick, MD 21702
Class B, On Sale, Beer, Wine and Liquor

Ms. Vahle swore in the applicants (See Sign In Sheet). There were no pending items. Inspector Shrum stated they are compliant. Commissioner Hays asked the applicants if they had their Alcohol Awareness training and they said yes they did. Ms. Vahle stated

she did a background check for Mr. Rainwater and Mr. Carothers and there were no violations.

MOTION: Mr. Stup made a motion for approval of the transfer.

SECOND: Mrs. Hays seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Stup – Aye
Mrs. Hays - Aye

The vote was unanimous. **Aye – 2 Nays – 0**
(Motion Passed)

2. Decision Required: Transfer

TRANSFER FROM:

RE: John Eliot, Christopher
Sims and Steven Smith
for the use of 5400
Holiday Hospitality LLC
t/a Holiday Inn &
Conference Center
5400 Holiday Drive
Frederick, MD 21703
Class B, On Sale, Beer Wine and Liquor

TRANSFER TO:

RE: William Hall and
James Hall
for the use of 5400
Holiday Hospitality LLC
t/a Holiday Inn &
Conference Center
5400 Holiday Drive
Frederick, MD 21703
Class B, On Sale, Beer Wine and Liquor

Ms. Vahle swore in the applicants (See Sign In Sheet). There are no pending items. Inspector DeLauter stated they are compliant. Commissioner Stup asked if there were any changes to the operation inside and outside, and also the entertainment. The

applicants stated there were not any changes. Commissioner Stup reminded the licensees of the responsibility they have for going on a license and invited them to attend the ABLE training sessions.

MOTION: Mr. Stup made a motion to approve the license.

SECOND: Mrs. Hays seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Stup – Aye
Mrs. Hays – Aye

The vote was unanimous. **Aye – 2 Nays – 0**
(Motion Passed)

3. Decision Required: Transfer

TRANSFER FROM: RE: Ron Chen for the use of
Sea-Hen Enterprises LLC
t/a Liberty Road Seafood
10524 Liberty Road
Frederick, MD 21701
Class B, On Sale, Beer, Wine and Liquor

TRANSFER TO: RE: Gordon Jernigan
for the use of Sea-Hen
Enterprises LLC
t/a Liberty Road Seafood
10524 Liberty Road
Frederick, MD 21701
Class B, On Sale, Beer, Wine and Liquor

Ms. Vahle swore in the applicants (See Sign In Sheet). There were no pending items. Inspector DeLauter stated they are compliant. Commissioner Hays asked the licensee if he was Alcohol Awareness trained, he stated he is certified and there will be someone there at all times who is Alcohol Awareness trained. Commissioner Stup asked about entertainment and outside seating. The licensee stated there would be no entertainment or outside seating.

MOTION: Mr. Stup made a motion for approval of the license.

SECOND: Mrs. Hays seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Stup – Aye
Mrs. Hays - Aye

The vote was unanimous. **Aye – 2 Nays – 0**
(Motion Passed)

4. Decision Required: New

RE: Edmond Gregory, Jeffrey
Gladhill and Richard Duthoy
for the use of Monocacy
Brewing Co. LLC
t/a Monocacy Brewing Co.
1781 N. Market St.
Frederick, MD 21702

Class DBR, On-Site Consumption Permit
On Sale, Beer Only

Ms. Vahle swore in the applicants (See Sign In Sheet). The pending items are: the Occupancy Permit, and the correction for the Sales and Use Tax license. Phil Bowers stated that Richard Duthoy could not attend the Hearing. They have a Power of Attorney for him that was previously approved by the Board. Mr. Bowers stated he submitted the change for the Sales and Use Tax license but it has not been returned. The Use and Occupancy Permit has not changed so he will obtain copies. Commissioner Stup reminded the applicants of their responsibility to be on a license. He asked Mr. Bowers if there would be any outside seating or outside events. Mr. Bowers stated eventually they will do something and will ask the Inspectors to come out and advise him. Commissioner Hays asked them to fill out a request with diagrams. Commissioner Stup also asked about entertainment. Mr. Bowers stated they would like to do some entertainment; they can pull 12 Special Events licenses through the Comptroller's Office. Ms. Vahle stated according to what the Board has already adopted in their Policy, when a Special Event permit is being used, the license issued by this Board will not be active at that time. Ms. Vahle stated there are adopted Policies for both the DBR and the On-Site Consumption Permit. There are requested proposed changes that have not been voted on. Monocacy

Brewing is operating under what the Board has adopted at this point.

MOTION: Mr. Stup made a motion for a conditional approval until February 23, 2015.

SECOND: Mrs. Hays seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Stup – Aye
Mrs. Hays – Aye

The vote was unanimous. **Aye – 2 Nays – 0**
(Motion Passed)

5. **Proposed Changes for the DBR and On-Site Consumption Permit** – Bob Kresslein, Attorney, for the Flying Dog Brewery discussed with the Board proposed changes for the license and the permit. Mr. Kresslein stated back in November the Board approved this license. At that time Mr. Kresslein asked the Board that the license be contingent upon the adoption of the Regulations. Now the Regulations are ready for review by the Board and there have been a couple of tweaks concerning the brewery licenses. Mr. Kresslein stated he is looking for two things. One, that whatever changes in Policy will follow in tandem if possible. The second is that March is coming up and they will be blocked out until May if they don't pick their license up. They are asking for the ability to pick up their license with the ability to defer the commencement of their operations until the policy is finally adopted and that way they don't have to come in during the blackout period when the Board cannot issue a license. Ms. Vahle stated the license could be issued and returned to be held until they are ready to pick it up and start using it. Commissioner Stup stated he had reviewed the changes and did not have a problem with it unless there is a problem when the Public Hearing is held. Commissioner Stup stated the only problem he had is opening it up for unintended consequences. Commissioner Stup also stated for the record that Chairman Zimmerman had some concerns against it, but he was unable to attend the Hearing today due to another commitment he had.

MOTION: Mr. Stup made a motion for approval of the request for the applicant to be allowed

to pick up the license for Flying Dog, and the staff to hold it until such time as the licensee is comfortable enough to pick it up and open under that license. Also, this is a new license that the Board is trying to work through with the applicants. The Board is working to finalize its Policy and how we handle the license in the future.

SECOND: Mrs. Hays seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Stup – Aye
Mrs. Hays - Aye

The vote was unanimous. **Aye – 2 Nays – 0**
(Motion Passed)

6. **Scanners** – Ms. Vahle stated Marty Johnson will be here to discuss the use of Scanners. The Board decided to discuss this in the Liquor Board conference room.

The meeting was adjourned at 10AM.

Respectfully submitted,

Kathy Vahle, Administrator
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees